

## REMARKS

Claims 1-14 are pending in the application. Claims 1-5 and 8-12 have been amended. No new matter has been introduced by the amendment.

The applicants assert that the claimed adhesively suspended piezoelectric element enables a direct physical connection to be made to the piezoelectric element without compromising the ability of the piezoelectric element to cause a fine arcuate movement of the magnetic head. (See FIG. 3 and applicants' specification, page 8, ll. 3-22). The direct physical connection is made to the piezoelectric elements 22 at voltage impressing electrodes 22V on the surface piezoelectric elements. A ground connection is made to an opposite surface of piezoelectric elements 22 at a ground electrode 22G. Accordingly, a magnetic head actuator having improved mechanical action and electrical interconnection is achieved. These advantages are not suggested or disclosed by the cited references, alone or in combination.

### Rejection Under 35 U.S.C. § 102(e)

Claims 8 and 14 have been rejected over Wada et al. This rejection is believed overcome in view of the amendment together with the following remarks.

Claim 8 has been amended to recite that the exposed portion of the feeding line is bonded to the piezoelectric element by a direct physical connection. This feature is not suggested or disclosed by Wada et al. In their response dated March 31, 2003, the applicants set forth grounds for distinguishing their claims over Wada et al. in the context of a direct electrical connection. While the applicants' directed their arguments to a direct electrical connection, as previously claimed, the applicants assert that those arguments apply with even more force to claim 8 as now amended. Accordingly, the applicants incorporate their previous remarks regarding the rejection of claims 8 and 14 by reference herein.

The Advisory Action asserts that Wada et al. can be construed to disclose a direct electrical connection by envisioning that various disclosed elements take on functions that are not described by Wada et al. in their specification. The applicants respectfully assert that Wada et al. disclose an electrical connection that consists of an actuator (11), a pad (22), a terminal electrode, an IC chip (16) and a second conductor member (18b). (See FIGs. 1 and 2, and para.s 0043 and 0044). The IC chip (16) is connected to the pad (22) by the second conductor member (18b). The pad (22) is, in turn, connected to a terminal electrode on the actuator (11). There is no suggestion by Wada et al. that the pad (22) be somehow eliminated. The pad (22) is a disclosed feature of the structure described by Wada et al. and there is no basis for arbitrarily eliminating such a disclosed feature.

In contrast to the structure disclosed by Wada et al. the applicants claim a direct physical connection between the feeding line and the piezoelectric element. Such a connection is facilitated by the adhesive suspension of the piezoelectric element within the swing arm. Wada et al. cannot anticipate claim 8 at least because Wada et al. fail to suggest or disclose these claimed features. See *Lidemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) ("Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.").

### **Rejections Under 35 U.S.C. § 103(a)**

Claims 1, 3, 6-7, and 13 have been rejected over Wada et al. in view of Budde et al.

Claims 2 and 9 have been rejected over Wada et al. in view of Hayden et al.

Claims 11-12 have been rejected over Wada et al. in view of Pattanaik.

Claim 10 has been rejected over Wada et al.

Claims 4 and 5 have been rejected over Wada et al. in view of Budde et al. and further in view of Pattanaik.

In their response dated March 31, 2003, the applicants set forth grounds for distinguishing their claims over the cited combination of references in the context of a direct electrical connection. While the applicants' directed their arguments to a direct electrical connection, as previously claimed, the applicants assert that those arguments apply with even more force to claims 1-5 and 8-12, as now amended. Accordingly, the applicants incorporate their previous remarks regarding the obviousness rejections set forth above by reference herein.

The Advisory Action asserts that Budde et al. describe a piezoelectric element suspended between two sections of a swing arm, as claimed by the applicants in claims 1 and 8. As pointed out by the applicants in their previous response, the piezoelectric elements of Budde et al. are mounted to horizontal surfaces. In contrast, as shown by the applicants in FIG. 3 of their drawing, the swing arm 20 has a pair of spaces 20S and each piezoelectric element 22 has clearances on both ends in the direction of the long side L. This structure is not suggested or disclosed by Budde et al.

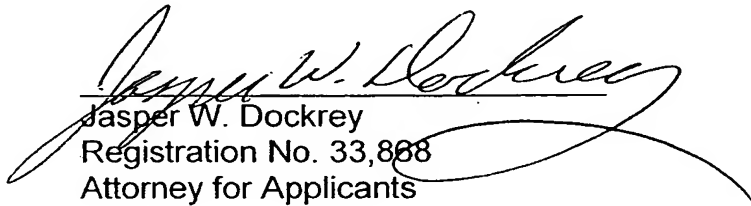
The applicants assert that their claims recite a structure in which the piezoelectric elements are hung so as to be free on all sides except the point of support. The adhesive attaches vertically disposed walls of the piezoelectric element to vertically disposed walls of the swing arm. Accordingly, the piezoelectric elements are suspended between two sections of the swing arm.

Even when Wada et al., Hayden et al. and Pattanaik are combined with Budde et al., the combination still does not suggest or disclose the claimed magnetic head actuator. Accordingly, a *prima facie* case of obviousness has not been established because one or more claim limitations are missing in the cited combination of references. See MPEP § 2143.03 ("To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art.").

Claims 6 and 7 are believed allowable in view of their dependence from claim 1. Correspondingly, claims 13-14 are believed allowable in view of their dependence from claim 8.

The applicants have made a novel and non-obvious contribution to the art of magnetic head actuator technology. The claims at issue are believed to distinguish over the cited references and to be in condition for allowance. Accordingly, such allowance is now earnestly requested.

Respectfully submitted,

  
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